

STATE-WIDE WEBSITE SUSTAINABILITY PROJECT

INTERIM REPORT AND PRELIMINARY SURVEY CONCLUSIONS

September 04

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I. Introduction

The Access to Justice State-wide Website Sustainability Project was funded by the Legal Services Corporation Technology Innovation Grant Program in order to enhance the capacity of the websites to develop long term strategies for adequate staffing for the site, technical support and implementing strategic outreach plans. Sustaining these sites so that they are continually relevant to the needs of the users will require complete integration into the access to justice system of providers, the courts and all other stakeholders. This will require a commitment of system resources but the return on this investment should prove well worth the expenditure.

This Interim Report is based on a comprehensive survey of the access to justice websites, and is intended to facilitate discussion within the community about how best to ensure the long term viability of the national network of sites. The survey was designed by the Projects management committee, which included the Project Consultants, Lisa Melton and Owen Snider, and the project management group, Richard Zorza, Steve Casey and Bob Clyde. Others reviewed the survey during the developmental phase. An online service called SurveyMonkey was used to manage the survey process. Responses have been received and tabulated from the following 34 states and territories: AK, AL, AR, AZ, CA, CO, DE, FL, GA, IA, ID, IN, KY, LA, MA, ME, MI, MN, MT, NAVAJO NATION, NC, NE, NH, NY, OH, OK, OR, TN, TX, VA, VI, VT, WA, WI. Website or technology staff completed approximately 45% of the surveys. The other 55% were completed by managers, deputy and executive directors, development directors and others with oversight of the sites but not primary responsibility. Clearly, in a number of states, the website coordination is performed part-time by a staff attorney, technology specialist or other divided position.

The Interim Report offers some tentative conclusions about the state of the field, as well as suggestions for strengthening the long term sustainability process. An Appendix provides additional detail about the survey results.¹

¹

Interested readers are invited to visit the site and review the results:

Client: <http://www.surveymonkey.com/Report.asp?U=44913438032>;
Advocate: <http://www.surveymonkey.com/Report.asp?U=45397568528>.

II. Overall Conclusions

A. *The Role of the Websites in the Delivery System and the Implications of that Role*

- The survey confirms that there is now broad agreement within the legal services community that State-wide websites are an integral part of the legal services delivery system.
- Therefore, neither states nor the national network can afford *not* to sustain these sites.
- Indeed, if a state-wide coalition of legal aid programs were to begin start up today, creating and maintaining a website would be a given.
- A key step going forward will therefore be to build the essential financial support for the sites into the core budgets of the organizations that have accepted the role of maintaining the site. It should be emphasized that integration into the overall budget does not necessarily mean that the additional funding cannot be obtained for the websites. On the contrary, what it does mean is that the maintenance of the site is seen as a core function, and therefore a core budget item, one that can be supported from many sources.

B. *The Stage of Development of the Sites and Support Implications*

- The client sites are nearing a first phase of maturity as to content and participation, although not yet as to financial sustainability. It is not true that “if you build it, they will come”. Without being educated as to its existence and its value, these sites will be woefully underutilized. Even once strategies for driving traffic to the site become effective, they will be for naught if the site is not dynamic, accurate and relevant. This requires on-going review and maintenance of the sites.
- The advocate sites are still in the relatively early stages of development and implementation. Involving pro bono and bar based programs is critical to the success of these sites.
- As sites become more mature they attract additional resources from partner entities.²
- Continued support is therefore essential in order to capitalize on progress to date.

² Good examples include the State Justice Institute’s funding in New York, Georgia and Illinois. Another is the support that the long-standing and pioneer Washington State site (newly integrated into LawHelp) is now receiving from the Attorney General of that state.

The alternative is to lose important momentum on the long term path to stability and sustainability.

- Such support can take many forms. Direct development funding from LSC, IOLTA programs and the private bar continues to be greatly needed. State-wide organizations can insist on full partnering as a price of this support.

Content development and technical support from community agencies and from the private sector has been obtained in many states. Leveraging these resources is the most efficient means of gaining this information and provides a significant benefit to the constituents of the partner organizations.

- In-kind content development and maintenance, outreach and technical support from project partners and community agencies are commitments that cannot be overestimated in terms of their importance to long-term site viability.

C. Sustainability Status

- Most states are still early in the sustainability process, having focused on staffing, stakeholder development, the technology and managing the content development.
- On-going program costs for these sites are substantial and sustainability is not a minor item.
- States are realizing that building support in the community and from partners takes time.
- They are also realizing that sustainability requires that stakeholders, partners and users experience direct benefits from the sites.
- It is not clear that all states realize the need for aggressive and partner based marketing.
- The opportunities for sharing strategies, best practices, and lessons learned that the Kaivo and Pro Bono Net networks provide is invaluable to the ongoing maintenance and growth of the state websites. These networks, along with marketing efforts, pro bono participation, and state justice community stakeholder engagement, will undoubtedly lay the foundations of future sustainability of the sites. As such, support of these networks and the essential services they provide, and indeed their expansion through resources such as the national circuit riders, should remain a priority of ongoing sustainability efforts.

D. Opportunities for Achieving Sustainability:

- At this stage in the process, funding for the necessary development of existing

sites must continue from all traditional sources such as LSC, and IOLTA.

- In the long term, continued IOLTA funding, funding from the Bar and from other legal community and court sources will be needed for the basic operation of the sites. These groups and the public they serve are direct beneficiaries of the state-wide sites. These groups have the flexibility and state-wide perspective and reach to ensure that this service delivery mechanism receives the priority it deserves.
- True partnering is critical to effective sustaining support. States that have received resources from government agencies, the bar, and courts are those that have worked long and hard to make sure that their sites are fully integrated
- A key function of these sites should be to act as a marketing and fundraising arm of the access to justice community as a whole. Therefore developing strategies for integrating these sites into all access to justice marketing and fundraising plans should be a key priority. Eventually, these sites could contribute significant revenue to the system through web-based fundraising. Increasingly, non-profit organizations are experiencing success with this approach. Professional assistance is available to aid access to justice communities in designing an on-line campaign.

E. Developing A Sustainability Environment:

- For the foreseeable future, and as states assume a greater and greater role, LSC's continued support of website innovation and future development will be needed if this technology is to bring about the reality of providing dramatically increased levels of high quality legal services to all eligible persons.
- In several states, IOLTA has played a key role in the development of the sites. Two of the most notable are New York and Illinois where the sites haveCourts provide in-kind support in approximately 33% of the states largely around content development and the provision of forms. More and more, providers and courts are collaborating on a systemic level in an effort to automate the judicial processes. These partnerships prove mutually beneficial and garner influential supporters for these sites. (Provide an example).
- Benefits to legal services advocates, staff in community-based organizations, governmental agencies and the courts are evident from the survey results. This information must be structured to aid coalitions as they seek funding from both traditional and non-traditional sources.
- LSC, IOLTA and other key leaders within access to justice communities can help these efforts by providing time and incentive for local programs to structure a feasible fund development effort.
- It may be necessary to re-allocate existing resources to fully integrate these sites

into the justice system the way web access is integrated into most every aspect of our lives – we use it because it is convenient, affordable, reliable and timely. Creating this capacity for low-income people affords them far greater access to information and service delivery options than they have ever had.

III. Next Steps

The Project will continue to explore the success and availability of various forms of sustainability funding. We will also consider the optimum support roles that can be played by national funders such as LSC, by state level access to justice funders such as IOLTAs and Bar Foundations, by partner organizations such as courts, attorney generals, state agencies, and the United Way, and by on-line and constituency fundraising. We plan to spend substantial time in support of local efforts to change the support environment.APPENDIX: Detailed Analysis of Survey Responses

Development

- About 57% of the sites that responded to the survey are built on the probono.net model and 35% on the Kaivo model.
- The survey is broken down into two major components: Client sites and Advocate sites. Nearly all of the respondents indicate that the client web sites are functional or mature in their development. By contrast, almost 40% of the advocate sites are early in their development. Indeed, 64% of the advocate sites are less than one year old or not yet launched while over 75% of the client sites were launched more than one year ago.
- The heaviest users of the advocate sites are legal services program staff and pro bono attorneys. The heaviest users of the client sites are community organizations and members of the general public.
- Both types of sites indicate that the main two uses by clients is as a directory of legal services and as a source of legal information and self-help materials. The major legal services program usage is for legal information and outreach education as well as a source for legal publications.
- The advocate sites serve as a platform for news and announcements and for the provision of legal information. The client sites provide news, announcements, legal information and a directory of free or low cost legal services.

Support

- Cash support for the sites comes mainly from the Bar Foundations, IOLTA programs, and the LSC.
- In-kind support is widely received from various stakeholder and beneficiary

organizations such as: community organizations, courts, government departments and agencies, law schools and libraries, pro bono programs, attorneys, and state bar associations.

- Respondents plan to target the following groups for inclusion in the stakeholder family: special interest sections of the bar, pro bono attorneys, legal aid programs, social workers, law schools and law libraries.

Planning

- Nearly 75% of respondents report that planning and development of the web site has been folded in some way into larger state planning initiatives.
- Eighty percent (80%) view the web site as a main vehicle for furthering Access to Justice goals and feel that key justice system leaders share that view.
- Planning for the advocate sites has been strongly supported by legal services program staff and planning for client sites has involved a broad cross-section of stakeholders.
- About 33% of the sites have no planning document and approximately one-third of those that exist are short term (< 18 months).

Financial

- The majority of the web site budget is allocated to staff and contracts with most of the rest going to hardware and software.
- Often, funding is project based rather than based on a contribution to general revenue for the supporting programs.
- Most respondents believe that over 75% of the current budget will be necessary to sustain the web sites in the future.
- Direct funding from IOLTA programs is not usually provided for the web sites.
- IOLTA financial support, when received, usually flows through general grants to the organizations involved in the sites.
- Additionally, participation in development activities and in kind support for the sites has been willingly offered by the IOLTA programs. This support often extends to active leadership in promoting stakeholder ownership of the state-wide website goals.

Benefits

- The major benefits to clients from advocate sites are cited as:

- higher quality legal representation by program staff, and
 - improved access to general legal information
- The client benefits from client sites are:
- accessible general legal information
 - a directory of community resources including low cost legal services, and
 - appropriate referrals to low cost legal services
- The advocate sites provide legal services staff with:
- improved knowledge and skills
 - better research resources, and
 - greater opportunities for collaboration
- The client sites provide legal services staff with access to information about other community resources and programs as well as a body of educational information for clients, thus enabling some level of service to nearly everyone.
- Those surveys cited general legal information and a directory to low cost legal services and other community resources as the major benefits to the general public and other social service organizations.

General Comments Based on the Survey Responses

- State-wide web sites are still fledgling efforts and, as such, are coping with the organizational politics, state-wide bureaucracy, and technical details of building and launching the sites.
- Probono.net and Kaivo are believed to be crucial resources for the growth and continued development of these sites.
- The usage reported for each type of site is basically as expected although it is surprising to see the extent to which legal services providers use the client site.
- The Bar Foundations, the IOLTA programs, and the LSC are currently the major stakeholders in terms of the development and sustainability of the web sites.
- Business, non-LSC government departments, and the special interest Bar seem to constitute an untapped resource.
- Many respondents plan to target the bar and pro bono attorneys but do not identify business and non-LSC government sources as possible supporters.
- Law schools and libraries can contribute in-kind support, especially for content development and maintenance, but it is uncertain whether they will be a source of financial support.

- The stakeholder and beneficiary communities are generally prepared to contribute in-kind resources, especially for the development and delivery of content. However, content development is such a vast area that it is a continuing problem for the site coordinators and the sites as a whole.
- Planning of state-wide web sites is largely integrated with the state-wide planning process but there appears to be a significant shortage of documentation. This hampers the ability to share information and experiences with others.
- The financial challenge for sustainability is that most of the cost of the web sites is for ongoing staffing needs but most of the readily available funding is term- limited special project funding or hardware/software based.
- Indirect funding through general grants to participating legal services programs is the common way of obtaining IOLTA funding, although direct grants have been received. However, these grants are usually tied to projects, development costs, or other designated uses, rather than given as general program support.
- In addition to financial support from IOLTA funds, excellent leadership and program support from IOLTA program staff is evident in several states.
- There is strong agreement that the state-wide web sites further the goals of Access to Justice and form (or should form) an integral part of the state-wide delivery of legal services and information.
- Given the stated benefits and the above sentiment, then strong consideration should be given to making the cost of the web site an integral part of the sponsoring agency's (or coalition of agencies') budget(s).